

GEORGE BRASS,)	
)	
Petitioner,)	2:13-cv-02020-GMN-VCF
)	
vs.)	ORDER
)	
BRIAN WILLIAMS, SR., <i>et al.</i> ,)	
)	
Respondents.)	
	/	

Due to the defects presented, the pauper application will be denied, and the present action will be dismissed without prejudice to the filing of a new petition in a new action with a pauper application with all required attachments. It does not appear from the papers presented that a dismissal without prejudice would result in a promptly-filed new petition being untimely. In this regard, plaintiff at all times remains responsible for calculating the running of the limitations period as applied to his case and properly commencing a timely-filed habeas corpus action.

IT FURTHER IS ORDERED that the Clerk of the Court shall send petitioner two copies of an *in forma pauperis* application form for a prisoner, one copy of the instructions for the same, two copies of a blank 28 U.S.C. § 2254 habeas petition form, one copy of instructions for the same, and one copy of the papers submitted at ECF No. 1.

IT IS FURTHER ORDERED that petitioner may file a new petition in a new action, but he may not file further documents in this action.

1 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment accordingly.

2 **DATED** this 7th day of November, 2013.

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Gloria M. Navarro
United States District Judge